

CHAPTER 10

Introduction

This Final Environmental Impact Report (EIR) document has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and *CEQA Guidelines* (California Administrative Code Section 15000 et seq.). The Final EIR incorporates, by reference, the Draft EIR (included here as **Appendix AA**) prepared by the Department of Water Resources for the Perris Dam Remediation Program (State Clearinghouse No. 2007061004) as it was originally published (including all revisions as described in Chapter 13) and the following chapters.

Environmental Findings have been prepared for the Final EIR in accordance with Section 15091 of the *CEQA Guidelines*, and are contained in a separate document.

10.1 CEQA Requirements

CEQA Guidelines specify that the Final EIR shall consist of the following:

- The Draft EIR or a revision of that draft;
- Comments and recommendations received on the Draft EIR;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The response of the Lead Agency to significant environmental points raised in the review and consultation process; and
- Any other information added by the Lead Agency.

This Response to Comments document for the Perris Dam Remediation Program presents:

- A list of persons, organizations, and public agencies commenting on the Draft EIR (Chapter 11);
- The written and oral comments received on the Draft EIR along with a response to each comment (Chapter 12); and
- A compilation of revisions to the text of the Draft EIR (Chapter 13).

10.2 Public Participation Process

The Notice of Preparation and the Notice of Availability of a Draft EIR were posted with the County Clerk in Riverside County, the State Clearinghouse, and two local newspapers (The Press-Enterprise and The Perris Progress/The Perris City News). The documents were also distributed to affected public agencies, community groups, and other interested parties. In addition, one public scoping meeting was held on June 20, 2007, at the Lake Perris Fairgrounds, Harrison Hall, 18700 Lake Perris Drive, in Perris, California. This meeting allowed members of the public the opportunity to ask questions and express their concerns and interests about the environmental review of proposed project prior to completion of the Draft EIR.

The Draft EIR was circulated for public review from January 11, 2010 through April 12, 2010. During this period, DWR held a public meeting to provide interested persons with an opportunity to comment verbally or in writing on the Draft EIR and the project. The public meeting was held at the Lake Perris Fairgrounds on February 3, 2010. During the meeting, information about the project was presented. At each meeting, members of the public had the opportunity to ask questions and express their concerns and interests regarding the project and content of the Draft EIR. Several verbal comments were received at the public meeting.

10.3 New Emergency Outlet Extension Alternative

Several comments were received suggesting that DWR consider new alternatives to the Emergency Outlet Extension component of the overall Program. As a result, DWR has committed to developing a new Emergency Outlet Extension alternative and to conducting additional environmental analysis of the alternative that will require a subsequent CEQA compliance document. As a result, the Emergency Outlet Extension component of the overall Perris Dam Remediation Program has been removed from the proposed project evaluated in this Final EIR. DWR will not certify that this Final EIR as currently compiled is sufficient to approve the Emergency Outlet Extension component of the overall Perris Dam Remediation Program. The remaining two components of the Program—the Perris Dam Remediation and the Outlet Tower Replacement components—are evaluated in this Final EIR at a sufficient level of detail to allow for project approval and implementation.

10.4 Final EIR Certification and Approval

As the Lead Agency, DWR has the option to make the Final EIR available for public review prior to considering the project for approval (*CEQA Guidelines* §15089(b)). The Final EIR must be available to commenting agencies at least 10 days prior to consideration for approval.

Prior to considering the project for approval, DWR will review and consider the information presented in the Final EIR and will certify that the Final EIR has been adequately prepared in accordance with CEQA. Once the Final EIR is certified, DWR may proceed to consider project approval (*CEQA Guidelines* §15090, §15096(f)). Prior to approving the project, DWR shall make Findings regarding any significant, unavoidable environmental effects identified in the Final EIR,

and if necessary, adopt Statements of Overriding Considerations regarding these impacts (*CEQA Guidelines* §15091, §15093). Prior to approving the project, DWR will also certify the EIR and file a Notice of Determination (NOD) with Riverside County and the State Clearinghouse.

10.5 Mitigation Monitoring and Reporting Program

CEQA requires lead agencies to “adopt a reporting and mitigation monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment” (CEQA §21081.6, *CEQA Guidelines* §15097). The Mitigation Monitoring and Reporting Program (MMRP) is included with this Final EIR. The MMRP includes only those mitigation measures that deal with the two project components (Dam Remediation and Outlet Tower Replacement) being considered under this Final EIR, and not those mitigation measures included in the Draft EIR that were specific to the Emergency Outlet Extension project.

10.6 Notice of Determination

Pursuant to Section 15094 of the CEQA Guidelines, DWR will file a Notice of Determination with the State Clearinghouse and Riverside County Clerk within five working days of project approval.